

### **Remarks**

Claims 14-24 are currently pending in the patent application. Applicant maintains that the Wiesler reference is directed to reticle-history tracking whereas the claimed invention is directed to an automated method of determining the useful life of a wafer processing mask. Furthermore, the Examiner has repeated the rejections from the previous Office Action without adequately responding to Applicant's arguments as is required by M.P.E.P. § 707.07(f). For the reasons set forth below, Applicant respectfully maintains the traversal of the rejections and submits that the claimed invention is allowable over the cited references. It is Applicant's desire to resolve these issues without having to appeal.

The Final Office Action dated July 11, 2006, indicated the following rejections: claims 14, 16, 17 and 19-23 stand rejected under 35 U.S.C. § 102(e) over Wiesler *et al.* (U.S. Publication No. US2001/0047222), claims 15 stands rejected under 35 U.S.C. § 103(a) over Wiesler *et al.* in view of Terao (U.S. Patent No. 5,191,535), claim 18 stands rejected under 35 U.S.C. § 103(a) over Wiesler *et al.* in view of Wang *et al.* (U.S. Patent No. 5,859,964), and claim 24 stands rejected under 35 U.S.C. § 103(a) over Wiesler *et al.* in view of DeWitt (U.S. Patent No. 5,214,486).

Applicant respectfully traverses all of the Section 102(e) and Section 103(a) rejections based, *inter alia*, on the reasons previously presented. The Examiner repeats the rejections from the previous Office Action and fails to adequately address Applicant's prior arguments. The M.P.E.P. dictates that the Examiner should take note of the applicant's arguments and answer the substance of them. *See* M.P.E.P. § 707.07(f). This is consistent with the purpose of aiding the applicant in judging the propriety of continuing the prosecution, as indicated in 37 C.F.R. § 1.104(a)(2) and 35 U.S.C. § 132. M.P.E.P. § 707.07(f) further urges that the Examiner state the reasons for his or her position (regarding Applicant's arguments) in the record.

The Examiner's response to Applicant's arguments consists of merely repeating the Response to Arguments section from the previous Office Action despite the fact that Applicant's arguments changed. Specifically, the Examiner, once again erroneously asserts that the claims are silent on "baseline specification" even though claim 14 explicitly states "conducting a degradation analysis on each mask that includes a comparison of the mask data to a mask baseline specification so as to generate

degradation data for each mask” (emphasis added). Additionally, in the Response to Arguments section in the instant Office Action, the Examiner once again talks about the claims being silent on “forecasting.” However, Applicant’s argument was directed towards determining the useful life of wafer processing masks, and did not talk about forecasting. Furthermore, the Examiner in connection with the rejection of claim 21 stated “each mask is continuously updated” (see, *e.g.*, page 3, line 22); however, Applicant amended claim 21 in the previous response to remove the word continuously. Because the Examiner fails to comply with the requirement of the M.P.E.P., Applicant requests that the Section 102(e) and Section 103(a) rejections be withdrawn.

Applicant further traverses the Section 102(e) rejection of claims 14, 16, 17 and 19-23, because the cited portions of the Wiesler reference fail to correspond to all of the claimed limitations for the reasons stated below and including those stated in the previous response which Applicant hereby incorporates by reference. Regarding independent claim 14, the Examiner fails to cite to any portion of the Wiesler reference that corresponds to claimed limitations directed to a comparison of the mask data to a mask baseline specification. On page 8 of the instant Office Action, and as discussed above, the Examiner once again mistakenly states that “the claims are silent on ‘baseline specification’.” Applicant once again notes that claim 14 clearly states “conducting a degradation analysis on each mask that includes a comparison of the mask data to a mask baseline specification so as to generate degradation data for each mask.” The parts of the Wiesler reference cited by the Examiner do not teach or suggest comparison of the mask data to a mask baseline specification (see, *e.g.*, Fig. 3B, Fig. 3E and paragraph 20) as in the claimed invention.

Moreover, the cited portions of the Wiesler reference fail to correspond to claim 14 limitations directed to analyzing and tracking mask degradation data to determine the useful life of each mask. The Examiner’s assertion that the Wiesler reference teaches attributes useful for determining the useful life of each mask is entirely misplaced. These attributes are used by the Wiesler reference for the purpose of maintaining reticles so that they can continue to be used without any determination or projection as to the actual useful life of the reticles. Thus, the “Times Cleaned” attribute recorded in Fig. 3A merely counts the number of times a reticle has been cleaned, which is useful for

determining whether the reticle should be serviced. Likewise, the “Clean Max” attribute recorded in Fig. 3E appears to be a user-entered limit on the number of times a reticle is allowed to be cleaned by the Wiesler management system, which is also useful for determining whether the reticle should be serviced. There is no teaching or suggestion in the Wiesler reference that these attributes are used to analyze a reticle to determine its useful life as in the claimed invention. Furthermore, the relied-upon paragraph 20 is specifically directed to recording reticle maintenance data and explicitly teaches that “During the lifetime of a reticle, a reticle may be placed on hold.” By placing a reticle “on hold,” the Wiesler reference teaches that such a status can be assigned for the servicing-type maintenance discussed above. Without a presentation of correspondence to each of the claimed limitations, the Section 102(e) rejections are improper and cannot be maintained. Applicant accordingly requests that the rejections be withdrawn.

Applicant traverses the Section 103(a) rejections of claim 15 over Wiesler in view of Terao, of claim 18 over Wiesler in view of Wang, and of claim 24 over Wiesler in view of DeWitt, because the cited portions of the Wiesler references do not correspond to the claimed limitations as discussed above in connection with the Section 102(e) rejection of claim 14. In this regard, the rejections of claims 15, 18 and 24 (which depend from claim 14) are improper because the corresponding rejections rely upon the same (improper) rationale. Therefore, Applicant requests that the Section 103(a) rejections be withdrawn.

In view of the above discussion, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Favorable reconsideration of this application is requested. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is encouraged to contact the undersigned at (651) 686-6633.

Respectfully submitted,

CRAWFORD MAUNU PLLC  
1270 Northland Drive, Suite 390  
St. Paul, MN 55120  
651/686-6633

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By: 

Robert J. Crawford  
Reg. No. 32,122